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Working Group on Children and Armed Conflict

Conclusions on children and armed conflict in Chad

1. At its 9th meeting, on 19 July 2007, the Working Group examined a report of the Secretary-General on children and armed conflict in Chad (S/2007/400), introduced by the Special Representative of the Secretary-General. The Permanent Representative of Chad participated in the subsequent discussion.

2. The main elements of the exchange of views among the members of the Working Group are summarized below.

3. The members of the Working Group welcomed the submission of the report of the Secretary-General in accordance with Security Council resolution 1612 (2005), and the analysis and recommendations contained therein met with a favourable response.

4. Grave concern was expressed about the widespread violations and abuses, including the practice of abduction for multiple purposes, committed against children in the situation of armed conflict in eastern Chad and, in that context, the recruitment and use of children by armed groups as well as local commanders of the Chadian National Army was of particular concern.

5. Grave concern was also expressed regarding the increased number of children killed and maimed as a result of widespread insecurity, the availability of small arms and the presence of anti-personnel landmines and unexploded ordnance and, in that context, the importance of respect for international humanitarian law and other applicable international standards and norms by all parties to the conflict and the need to allow full, unimpeded and secure humanitarian access were stressed.

6. The members of the Working Group welcomed steps taken by the Government of Chad to put an end to the illegal recruitment and use of children by local commanders of the Chadian National Army and to release children associated with armed groups recently integrated into the Army, such as the United Front for Change, leading to the release of nearly 400 children by June 2007.

7. The participation at the ministerial level of the Government of Chad in the conference entitled "Free children from war", held in Paris on 5 and 6 February 2007, and the signature of a protocol of agreement with the United Nations Children's Fund (UNICEF) on 9 May 2007 on protecting children who are victims of armed conflict and on their sustainable reintegration into communities and

families, were both welcomed as positive signs of the Government's commitment to the protection of children under its jurisdiction in the context of armed conflict.

8. Emphasis was given to the need for the Government of Chad to further translate those commitments into concrete action on the ground to prevent any further illegal recruitment and to develop, with the help of the international community, sufficient capacity in disarmament, demobilization and reintegration programmes.

9. The Government of Chad was encouraged to address, in cooperation with the United Nations country team and civil society organizations, impunity for perpetrators of crimes and abuses against children, including perpetrators of sexual violence against the girl child, through advocacy, legislation and other appropriate measures.

10. The United Nations task force, led by the Resident Coordinator, was encouraged to enhance its capacity to collect data on violations and abuses against children by Chadian armed opposition groups, Chadian self-defence militias and Sudanese rebel groups operating in eastern Chad and to engage with those groups on action plans for the release of children associated with them, in accordance with Security Council resolutions 1539 (2004) and 1612 (2005).

11. The Permanent Representative of Chad:

(a) Informed the Working Group of the acknowledgement by the Chadian Ministry of Defence of the increasing pattern of violations and abuses committed against children in eastern Chad, including the illegal recruitment and use of children in armed forces and groups, as a result of the activities of armed groups, of the organization by local communities of self-defence units and of initiatives taken by local commanders of the Chadian National Army, without referring to their hierarchy;

(b) Underlined the steps already taken by the Ministry of Defence to put an end to those unlawful practices, to release children previously associated with Chadian National Army local units or armed groups that had recently been integrated into the Army and to provide those children with reintegration programmes;

(c) Reaffirmed the pledge of the Government of Chad to uphold and apply all its commitments and obligations concerning the rights of the child, inter alia, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, the Paris Commitments to Protect Children from Unlawful Recruitment or Use by Armed Forces or Armed Groups, its own legislation stipulating that the minimum age for voluntary recruitment in the Chadian National Army is 18 and the protocol of agreement signed with UNICEF on 9 May 2007 on protecting children who are victims of armed conflict and on their sustainable reintegration into communities and families;

(d) Reiterated the willingness of Chadian authorities to cooperate with the Working Group, the United Nations and its funds and programmes and the specialized agencies, in order to demobilize and reintegrate children released from armed forces and groups and insisted on the urgent need for the international community to help the Chadian authorities develop capacities in this field.

12. Further to the meeting and subject to and consistent with applicable international law and relevant Security Council resolutions, including resolution 1612 (2005), the Working Group agreed to the following.

Recommendations to the Security Council

13. The Working Group agreed to recommend that the President of the Security Council address letters:

To the Secretary-General

(a) *Welcoming* the recommendation of the Secretary-General that the United Nations country team continue to seek to establish systematic dialogue with parties to the conflict, in particular Chadian opposition armed groups, Chadian self-defence militias and Sudanese rebel groups operating in eastern Chad, with the aim of preparing action plans to end the recruitment and use of children in armed forces and groups as well as other abuses committed against children and violations of international humanitarian law;

(b) *Welcoming* his intention to ensure, given the regional dimension of the crisis involving Chad, the Sudan and the Central African Republic and the grave implications for children, that mechanisms are in place for information exchange and cooperation among respective United Nations country teams and peacekeeping missions on such child protection issues as cross-border abductions and the release and reintegration of children;

(c) *Inviting* him, in consultation with the Governments concerned, to make sure that child protection, including the capacity to protect children from sexual violence, killing and maiming, abduction and all other such grave forms of violence, is taken into account, within mandated resources, in the preparation of a multidimensional presence aimed at contributing to the protection of refugees, internally displaced persons and civilian populations at risk in eastern Chad and the north-eastern area of the Central African Republic;

(d) *Informing* him of the Working Group's concern that the lack of financial resources for capacity-building in Chad for reintegration programmes for children and matters related to disarmament, demobilization and reintegration poses a significant challenge and inviting him to call upon the international community to continue to allocate funding in this regard;

To the Presidency of the European Union

(e) *Encouraging* the Presidency of the European Union to take into account, in consultation with the Governments concerned and the Secretariat, the child protection dimension in planning a possible multidimensional presence aimed at contributing to the protection of refugees, internally displaced persons and civilian populations at risk in eastern Chad and the north-eastern area of the Central African Republic.

14. The Working Group also recommended that the Security Council consider the establishment, when appropriate and within mandated resources, of a framework for child protection, including through specific provisions on the appointment of child protection advisers, in consultation with the Governments concerned, in the mandate of a possible multidimensional presence aimed at contributing to the protection of

refugees, internally displaced persons and civilian populations at risk in eastern Chad and the north-eastern area of the Central African Republic.

Direct action by the Working Group

15. The Working Group agreed to address a letter from the Chairman to the Government of Chad:

(a) *Welcoming*:

(i) Its ratification of the Convention on the Rights of the Child and its Optional Protocol on the involvement of children in armed conflict;

(ii) The participation of the Minister of Foreign Relations in the conference entitled "Free children from war" and the support expressed on that occasion by the Government to the Paris Principles and the Paris Commitments to Protect Children from Unlawful Recruitment or Use by Armed Forces or Armed Groups;

(iii) The steps already taken in order to put an end to child recruitment and use by local elements in the Chadian National Army, through, inter alia, the reissuance of directives and field visits by the Minister of Defence, the demobilization of children associated with the United Front for Change, and the signature of a protocol of agreement with UNICEF on 9 May 2007 on protecting children who are victims of armed conflict and on their sustainable reintegration into communities and families;

(iv) The timely decision of the Government of Chad to engage with the United Nations in the implementation of a monitoring and reporting mechanism on children and armed conflict in Chad and its subsequent and ongoing cooperation with the Working Group;

(b) *Urging it*:

(i) To take the necessary action towards the full implementation of its commitments and obligations on the ground, including through the development, with the support of the United Nations and relevant civil society organizations, of a time-bound action plan ensuring the prevention of illegal recruitment of children and transparent procedures for the release and verification of children in its forces and the establishment of an appropriate national institution coordinating the release and reintegration of children associated with armed forces and groups;

(ii) To increase security and protection of the civilian populations in and around the refugee camps and internally displaced person settings, including through possible cooperation with the international community, bearing in mind the positive impact of such measures on the prevention of child recruitment, sexual violence and other abuses against children;

(c) *Encouraging it, with the support of the United Nations*:

(i) To undertake, as a matter of priority, the required reform of national legislation for the protection of children, through, inter alia, criminalization of the unlawful recruitment and use of children in armed conflict in accordance with the obligations assumed by Chad under the Optional Protocol to the

Convention on the Rights of the Child on the involvement of children in armed conflict, in order to put an end to impunity and prevent further violations;

(ii) To further address impunity for perpetrators of violations and abuses committed against children by strengthening its child protection capacity and the commitment of law enforcement and judicial officials to rigorously investigate and prosecute crimes against children, including sexual violence, killing and maiming, abduction and all other forms of crime, and by raising awareness about children's rights throughout the society.

16. The Working Group also agreed to call upon all the parties to the conflict, in particular those groups mentioned in the report of the Secretary-General, through a public statement by its Chairman on behalf of the Working Group:

(a) *Strongly condemning* the continuous recruitment and use of children by armed groups, in particular the Sudan Liberation Army, the Justice and Equality Movement and the Union of Forces for Democracy and Development, as well as all other violations and abuses committed against children in eastern Chad;

(b) *Urging all parties*:

(i) To comply fully with international humanitarian law by, inter alia, protecting the civilian population, especially children therein;

(ii) To release unconditionally all children present in their ranks in any capacity in order for them to be reintegrated into their families and communities and to engage at the earliest occasion with the United Nations country team, in particular UNICEF, for an action plan taking into account the Paris Principles: Principles and Guidelines on Children Associated with Armed Forces or Armed Groups, with a view to putting an end to the serious abuses perpetrated against children and ensuring transparent procedures for the release of all children;

(iii) To refrain from any new child recruitment and to respect the neutrality of refugee camps and internally displaced person settlements as safe havens for children;

(iv) To allow, as a matter of priority, full, unimpeded and secure access for humanitarian assistance, as well as relevant international and national child protection actors.

17. The Working Group agreed to address a letter from the Chairman to the World Bank and donors:

(a) *Calling their attention* to the need to support rapidly the Chadian authorities in developing capacities to respond to the release by armed forces and armed groups of a projected 7,000 to 10,000 children used for a number of different combat and non-combat roles;

(b) *Requesting* that they ensure that sufficient resources are made available to support programmes and local capacities in the areas of advocacy, community awareness and response to violations and abuses committed against children, including strengthened child protection mechanisms in the refugee camps and in the internally displaced persons settlements inside Chad.